



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

HD:hd
Docket No. 07018-10
14 April 2011

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This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested that your naval record be corrected by removing two years of commissioned service (February 2000 to February 2002), or removing four years of commissioned service (August 1995 to February 2000), or removing 14 months of commissioned service to allow you to be considered by the Fiscal Year 13 Navy Reserve Line Captain Selection Board.

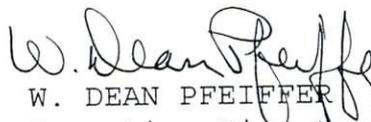
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 April 2011. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by the Navy Personnel Command dated 20 August 2010 and 14 March 2011, copies of which are attached. The Board also considered your letter dated 6 February 2011 with enclosures and the Memorandum for the Record dated 6 April 2011, a copy of which is also attached. Finally, the Board considered its decision in your previous case, docket number 9826-02.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion dated 14 March 2011. The Board

found the basis for its action in your previous case, to remove your failures of selection by the Fiscal Year 03 and 04 Naval Reserve Line Commander Selection Boards, did not justify the relief you now request. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,


W. DEAN PFEIFFER
Executive Director

Enclosures